

PART B - FEE(S) TRANSMITTAL

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CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

78169 7590 12/22/2009

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C.
 ATTN: PATENT INTAKE CUSTOMER NO. [EVALVE]
 ONE FINANCIAL CENTER
 BOSTON, MA 02111

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Cecilia Tobin (Depositor's name)
Cecilia Tobin (Signature)
 March 10, 2010 VIA ELECTRONIC FILING (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,776	08/05/2003	Frederick G. St. Golar	37531-501C01US	1704

TITLE OF INVENTION:

METHODS AND APPARATUS FOR CARDIAC VALVE REPAIR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
NONPROVISIONAL	NO	\$1510	\$300	\$1510	3/22/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
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BACHMAN, LINDSEY MICHELE 3734 606/23200

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47, Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Fred C. Hernandez

Mintz, Levin, Cohn, Ferris,

2 Glovsky and Popeo, P. C.

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Evalve, Inc.

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Redwood City, California

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee

☒ Publication Fee (No small entity discount permitted)

☒ Advance Order - # of Copies 3

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0311.

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☒ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date March 10, 2010

Typed or printed name Fred C. Hernandez

Registration No. 41,832

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Frederick G. St. Goar, et al. Art Unit : 3734
Serial No. : 10/635,776 Examiner : Bachman, Lindsey Michele
Filed : August 5, 2003 Conf. No. : 1704
Title : METHODS AND APPARATUS FOR CARDIAC VALVE REPAIR

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENTS OF REASONS FOR ALLOWANCE

Dear Sir:

Entry of the following remarks are respectfully requested. These comments are being filed concurrently with the payment of the issue fee.

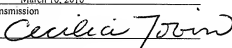
Remarks begin on page 2 of this paper.

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically transmitted to the Patent and Trademark Office on the date indicated below in accordance with 37 CFR 1.8(a)(1)(i)(C).

March 10, 2010
Date of Transmission

Signature



Cecilia Tobin
Typed or Printed Name of Person Signing Certificate

Applicant : Frederick G. St. Goar, et al.
Serial No. : 10/635,776
Filed : August 5, 2003
Page : 2 of 2

Attorney's Docket No.: 37531-501C01US
Comments on Notice of Allowance


REMARKS

In response to the Notice of Allowance mailed December 22, 2009, these Comments on Reasons for Allowance is being transmitted herewith with a completed issue fee transmittal form PTOL-85b. Please apply the total amount of \$1819 to Deposit Account No. 50-0311, for the required issue fee, including an advance order of three (3) patent copies. Please also apply any additional fees or credit overpayment that may be due in connection with filing this paper, or with this application during its entire pendency to our Deposit Account No. 50-0311. Entry and consideration of the following remarks are respectfully requested.

Applicant recognizes that in accordance with M.P.E.P § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the above-referenced application, Applicant does not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. Furthermore, the claims may be patentable for other reasons. In addition, the dependent claims are allowable on their own merits, and are allowable on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

Respectfully submitted,

Date: March 10, 2010


Fred C. Hernandez
Reg. No. 41,832
Attorney/Agent for Applicants

PTO Customer No. 78169

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